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California Regional Water Quality Control Board North Coast Region

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Arnold
Schwarzenegger
Governor

April 27, 2007

In the Matter of

Water Quality Certification

for the

**SOUTH CONGREGATION OF JEHOVAH'S WITNESSES SANTA ROSA, CA, INC.,
KINGDOM HALL OF JEHOVAH'S WITNESSES PROJECT:
WDID NO. 1B06098WNSO**

RECEIVING WATER: Colgan Creek
HYDROLOGIC AREA: Middle Russian River Hydrologic Area No. 114.20
COUNTY: Sonoma County
APPLICANT CONTACT: Mr. Carl Christofferson

BY THE EXECUTIVE OFFICER:

1. On July 3, 2006, Prunuske Chatham, Inc., on behalf of Carl Christofferson and the South Congregation of Jehovah's Witnesses Santa Rosa, CA, Inc. (Santa Rosa Jehovah's Witnesses) filed an application for water quality certification under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with the Kingdom Hall of Jehovah's Witnesses Project (Project). The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on March 7, 2007, and posted information describing the Project on the Regional Water Board's website. No comments were received.
2. The proposed project is located at 2035 and 2087 Petaluma Hill Road in Santa Rosa, APN's 044-021-041 and 044-021-043. The purpose of the Project as it relates to waters of the State is to install a storm water outfall that will discharge runoff from the Project. The entire project will involve the construction of a congregation hall as well as a caretaker's residence and associated parking lots.
3. The outfall structure will consist of an 18-inch corrugated metal pipe and rock riprap to serve as an energy dissipater and erosion control. Work will involve minor excavation of the bank for placement of the storm drain and riprap; placement of the drain, riprap, and underlying filter fabric will occur just below ordinary high water and

will involve less than ten cubic yards of fill. Erosion control mats will be placed under all disturbed areas and the outfall structure.

4. The total area of fill associated with the construction of the outfall structure is 0.0005 acres (22 ft²). Construction on the outfall structure is estimated to last two weeks.
5. Compensatory mitigation for this project will be attained through the removal of non-native species and the establishment of a riparian corridor on Colgan Creek within the property boundaries. Currently the creek is in poor condition. It is channelized with no riparian cover in the project area. Plantings will consist of native trees on the top of the bank, and native understory species on the bank. The plantings will be maintained and monitored for three years, with a minimum survival rate of 80%. Non-compensatory mitigation measures include the use of erosion control Best Management Practices (BMPs). Stormwater will be treated through the use of vegetated bioswales that will run the length of the property and treat the stormwater from the parking areas and buildings before draining into the storm drain system.
6. Impacts to waters of the State and the United States are minimal because the project has been designed to avoid and minimize adverse impacts and permanent impacts to waters of the State and United States.
7. The project meets the exemption criteria under title 14, California Code of Regulations, section 15303, New Construction of Small Structures. The Regional Water Board will file a Notice of Exemption in accordance with the California Code of Regulations, title 14, section 15062 after issuance of this order.

Receiving Water: Colgan Creek
Middle Russian River Hydrologic Area No. 114.20
Russian River Unit No. 114.00

Filled or Excavated Area: Area Permanently Impacted: Approximately 22 square feet.

Expiration: October 15, 2010.

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE REGIONAL WATER BOARD CERTIFIES THAT THE KINGDOM HALL OF JEHOVAH'S WITNESSES (FACILITY NO. 1B06098WNSO), as described in the application will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Santa Rosa Jehovah's Witnesses complies with the following terms and conditions:

1. This Water Quality Certification is contingent on compliance with all applicable requirements of the North Coast Region Water Quality Control Plan (Basin Plan), except as may be modified by the specific conditions of the Water Quality Certification.
2. Santa Rosa Jehovah's Witnesses shall construct the project in accordance with the conditions described in the application and the findings above, and shall comply with all applicable water quality standards.

3. Santa Rosa Jehovah's Witnesses shall provide Regional Water Board staff access to the project site to document compliance with this certification.
4. Santa Rosa Jehovah's Witnesses shall provide a copy of this certification and attachments to the contractor and all subcontractors conducting the work, and require that copies remain in their possession at the work site. Santa Rosa Jehovah's Witnesses shall be responsible for work conducted by its contractor or subcontractors.
5. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to a suspected violation of any condition of this certification, the State Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the State Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the State Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.
6. If, at any time, an unauthorized discharge to surface waters occurs, or any situation arises that compromises water quality and its beneficial uses, the Santa Rosa Jehovah's Witnesses shall immediately cease work on the project and notify the Regional Water Board.
7. The Regional Water Board may add to or modify the conditions of this certification, as appropriate, to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
8. This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the applicant, the applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board. The successor-in-interest must send to the Regional Water Board Executive Office a written request for transfer of this Order to discharge dredged or fill material under this Order. The request must contain the following:
 - a. requesting entity's full legal name
 - b. the state of incorporation, if a corporation
 - c. address and phone number of contact person

- d. description of any changes to the project or confirmation that the successor-in-interest intends to implement the project as described in this Order.
9. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Basin Plan.
10. The authorization of this certification for any dredge and fill activities expires on October 15, 2010. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.
11. Any change to the operation of the Project that would have a significant or material effect on the findings, conclusions, or conditions of this certification must be submitted to the Executive Officer of the Regional Water Board for prior review and written approval.
12. This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
13. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
14. The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under title 23, California Code of Regulations, section 3833, unless otherwise stated in writing by the certifying agency.
15. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this permit, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State.
16. When operations are complete, any excess material or debris shall be removed from the work area and disposed of properly.
17. If construction dewatering is found to be necessary, the applicant shall use a method of water disposal other than disposal to surface waters (such as land disposal) or the

applicant shall apply for coverage under the General Construction Dewatering Permit and receive notification of coverage to discharge to surface waters.

18. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States and the State. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to any waters of the State or the United States. At no time shall the applicant use any vehicle or equipment, which leaks any substance that may impact water quality.
19. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities, construction activities, or any other project activities that could result in erosion or sediment discharges to surface water.
20. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.

Please contact Stephen Bargsten of our staff at (707) 576-2653 if you have any questions.

Catherine E. Kuhlman
Executive Officer

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Enclosures: State Water Resources Control Board Order No. 2003-0017-DWQ,
General Waste Discharge Requirements for Dredge and Fill Discharges
That Have Received State Water Quality Certification.

Original sent to: Mr. Carl Christofferson, 2143 Mission Boulevard, Santa Rosa, CA
95409

Copies sent to: Mr. Bill Orme, SWRCB, Acting 401 Program Manager, Clean Water
Act Section 401 Certification and Wetlands Unit Program

Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory
Functions, 333 Market Street, San Francisco, CA 94105

Ms. Jennifer Michaud, Prunuske Chatham, Inc., P.O. Box 828,
Occidental, CA 95465

California Environmental Protection Agency